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DECEMBER 2, 2020

VIA ECF

Hon. Ramon E. Reyes, Jr., U.S.M.J.
Eastern District of New York
United States Courthouse
225 Cadman Plaza East, Room N208
Brooklyn, New York 11201

Re: Michael Grecco Prods., Inc. v. Alamy Inc., Case No. 18 Civ. 3260 (PKC) (RER)

Dear Judge Reyes:

We represent defendant Alamy Inc. (“US Alamy”) and defendant Alamy Ltd. (“UK Alamy,” together with US Alamy, the “Defendants”) in the above-referenced proceeding. We write to provide the full correspondence referenced by plaintiff Michael Grecco Productions, Inc. (“Plaintiff”) in his December 1, 2020 letter (the “Letter”) opposing Defendants’ letter motion, which correspondence Plaintiff selectively excerpted in part as Exhibit 1 to its Letter. *See* Dkt No. 112-1. Plaintiff’s Exhibit 1 failed to include subsequent, relevant email exchanges, dated October 14, 2020, and October 15, 2020, respectively, which are annexed hereto as Exhibit A.

The correspondence at issue was cited in Defendants’ original letter seeking an extension of the deadline to submit expert rebuttal reports, *see* Dkt. No. 111 at 2, but Defendants did not file the actual correspondence with the Court because they were observing Your Honor’s Individual Rule II.B, which expressly states that “Copies of correspondence between counsel shall not be filed or sent to the Court.” However, because Plaintiff did not include the two subsequent email exchanges in the correspondence, wherein Defendants’ counsel repeatedly asks for confirmation that the deadline for the “expert reports” (emphasis added) would be Monday, October 19, it is necessary to provide the Court with the full exchange for context, particularly because Plaintiff mischaracterizes both Defendants’ submission of their moving report on October 19 as “tactical,” and their belief that they could file both a moving and rebuttal expert report as non-sensical. Dkt. No. 112 at 3.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Nancy E. Wolff
Nancy E. Wolff

cc: All counsel of record (via ECF and electronic mail)